

## REMARKS

In response to the Office Action dated December 21, 2007, Applicants respectfully request reconsideration based on the above amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1, 3-11, 19-26 and 28-30 are pending in the present Application. Claims 2, 12-18, 27 were previously canceled, and Claims 1, 19, 23 and 26 have been amended, leaving Claims 1, 3-11, 19-26 and 28-30 for consideration upon entry of the present Amendment. No new matter has been introduced by these amendments. Support for the amendments can be found on at least page 8, lines 4-17. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

### First Claim Rejection Under 35 U.S.C. § 103(a)

Claims 1, 3-8, 11, 19-26, and 28 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587) and Culbreth et al. (US 5,953,393) further in view of Palmer et al. (US 5,546,324). Applicant respectfully traverses this rejection. Applicant respectfully submits that the current amendment renders the rejection moot.

Claim 1 as amended recites, "A system for setting-up a future audio conference between a host party and at least one participant party, said system comprising: a call control engine for receiving a future audio conference request from the host party, the future audio conference request being received in the control engine from at least one of a land-line telephone via a telephone call, a wireless device via a wireless transmission, and a computer via a web interface configured to receive a confirmation screen whereby the user can make corrections related to the future audio conference request; wherein the future audio conference request includes a meeting host phone number, and at least one additional future audio conference call party number, wherein the call control engine is configured to reject the future audio conference request in response to a passing of the

future audio conference; a conference call database having a plurality of entries, wherein audio conference information associated with the future audio conference request is stored on one of entries; a call facility for making audio connections, according to the future audio conference request, to the host party and the at least one participant party, said call facility first attempting an audio connection to the host party and making an audio connection to the at least one participant party after the host party has answered the audio connection, the call facility including a common channel signaling system (CCSS); a call bridging facility for bridging the audio connections between the host party and the at least one participant; and a timer facility having one or more timers for being set when the future audio conference request is created by the host party, wherein upon expiration of a pre-determined timer setting, indicating that the conference call is to be placed, the call control engine retrieves the future audio conference request information from the conference call database, the future audio conference request information including an entry for the conference call and a timer, the expiration of which indicating that the conference call is to be placed thereby enabling the call facility to begin placing audio connections; wherein the call control engine sets up the future audio conference upon at least one of the expiration of the timers in the timer facility, and a polling of the conference call database to determine whether it is time to retrieve the future audio conference request information and set up the future audio conference; wherein, if the host is unavailable the call control engine disconnects and at least one of removes the audio conference information associated with the future audio conference request from the conference call database, and retries the host before canceling the conference call; wherein if one or more participant parties are unavailable for initial audio connection, then said call facility automatically re-attempts audio connection to said one or more participant parties unavailable for initial audio connection a predetermined number of times before dropping said one or more participant parties unavailable for initial audio connection; wherein the call control engine provides the host party with a meeting confirmation number associated with the future audio conference request, the call control engine changing or canceling the future audio conference request in response to receiving the meeting confirmation number with a request to change or cancel the future audio conference request; wherein the information associated with the future audio conference

request is removed from the conference call database in response to the bridging facility bridging the audio connections between the host party and the at least one participant.” (Emphasis Added)

Specifically, Wu in view of Hogan and Culbreth further in view of Palmer does not teach or otherwise make obvious the claim recitations: “wherein upon expiration of a pre-determined timer setting, indicating that the conference call is to be placed, the call control engine retrieves the future audio conference request information from the conference call database, the future audio conference request information including an entry for the conference call and a timer, the expiration of which indicating that the conference call is to be placed thereby enabling the call facility to begin placing audio connections; wherein the call control engine sets up the future audio conference upon at least one of the expiration of the timers in the timer facility, and a polling of the conference call database to determine whether it is time to retrieve the future audio conference request information and set up the future audio conference”.

Instead, the cited section of the Office Action, that is Figure 9A, col. 10, lines 34-43, teaches “At 902 *a determination is made as to whether all the responses have been received from the selected participants or if a pre-established time limit for receipt of those responses has expired*. Upon receipt of all the responses or expiration of the pre-determined time interval, the responses are processed and the processed information is forwarded to the coordinator at 904. At 906 a determination is made as to whether the final instructions/conformation has been received from the coordinator. At 908 the coordinator *may select timed initiation 910 of the telephone conference* or manual initiation 912. At 914 the control script for the telephone conference server is generated and forwarded and the process is concluded.” It can clearly be seen that Wu’s time limit refers to a time during which responses to whether or not the participants wish to be included in the call and *after which* the coordinator then decides to initiate the call. In contrast, the timers in Applicant’s claimed invention are set once all participants have been identified and the meeting set. The timers then expire to actually start the conference call. Therefore, it is respectfully submitted that Wu does not teach or otherwise make obvious Claims 1, 3-8, 11, 19-26 and 28. Since neither Hogan, Culbreth

nor Palmer cures the above-identified deficiencies of Wu, the combined teaching of Wu, Hogan, Culbreth and Palmer does not teach or otherwise make obvious Claims 1, 3-8, 11, 19-26 and 28.

For at least the above reasons, Claims 1, 19, 23 and 26 are patentable over Wu in view of Hogan and Culbreth and Palmer. Claims 3-8, 11 and 25 depend from Claim 1, Claims 20-22 depend upon Claim 19, Claim 24 depends upon Claim 23, and Claim 28 depends upon Claim 26, and is patentable over Wu and Hogan and Culbreth and Palmer for at least the reasons advanced with reference to Claims 1, 19, 23 and 26.

#### Second Claim Rejection Under 35 U.S.C. § 103(a)

Claims 9-10 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587), Culbreth et al. (US 5,953,393) and Palmer et al. (US 5,546,324) further in view of Roy (US 6,697,341). Applicant respectfully traverses this rejection.

It is respectfully submitted that Wu in view of Hogan and Culbreth and Palmer and further in view of Roy do not teach or otherwise make obvious Claims 1, 3-8, 11, 19-26 and 28, either individually or in combination.

Roy fails to cure the deficiencies of Wu and Hogan and Culbreth and Palmer as discussed above with reference to Claim 1. Claims 9 and 10 depend from Claim 1 and are patentable over Wu and Hogan and Culbreth and Palmer in view of Roy for at least the reasons advanced with respect to Claim 1.

#### Third Claim Rejection Under 35 U.S.C. § 103(a)

Claims 29 and 30 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Wu (US 6,275,575) in view of Hogan et al. (US 5,483,587), Culbreth et al. (US 5,953,393) and Palmer et al. (US 5,546,324) further in view of Buskirk, Jr. (US 6,178,183). Applicant respectfully traverses this rejection.

It is respectfully submitted that Wu in view of Hogan and Culbreth and Palmer further in view of Buskirk, Jr. do not teach or otherwise make obvious Claims 1, 3-8, 11, 19-26 and 28, either individually or in combination.

Buskirk, Jr., fails to cure the deficiencies of Wu and Hogan and Culbreth and Palmer as discussed above with reference to Claim 26. Claims 29 and 30 depend from Claim 26 and are patentable over Wu and Hogan and Culbreth and Palmer in view of Buskirk, Jr. for at least the reasons advanced with respect to Claim 26.

**The Examiner is encouraged to contact Attorney for Applicants via telephone should the Examiner have any questions regarding the present response.**

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicant. Accordingly, reconsideration and allowance are requested. If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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